



The Town of Elsmere

11 Poplar Avenue, Elsmere, Delaware 19805

Phone (302) 998-2215 Fax (302) 998-9920

MEMORANDUM

To: Chairman Paul Chalfant
Town of Elsmere Board of Adjustment

From: Chairman Charles G. Lindell
Town of Elsmere Planning Commission

Re.: Petition 12-36

Date: January 11, 2013

Dear Chairman Chalfant,

At the January 8, 2013 meeting of the Town of Elsmere's Planning Commission, the Commission reviewed Petition 12-36 regarding Tax Parcel Number: 19-00-900-009. In this application, the applicant seeks a variance to utilize the property at 413A S. Dupont Rd., located in a Highway Development District, as a residential rental unit. The original petition has been amended to include a request for a variance to Section 225-10 (E) (b) of the Code of The Town of Elsmere concerning the number of parking spaces required at this property.

After hearing testimony and having their questions answered the Commission Members in attendance voted to recommend that the Board of Adjustment **Approve** the application.

Sincerely,

Charles G. Lindell, Chairman
Town of Elsmere Planning Commission

Mayor

Deborah A. Norkavage

1st District Councilman
President Pro-Tempor

John Jaremchuk Jr.

2nd District Councilman

Steven Burg

3rd District Councilman
Robert Kacperski

4th District Councilman

Charles McKewen

5th District Councilwoman
Secretary of Council

Joann I. Personti

6th District Councilman
Richard Moore

Town Treasurer

Paul Chalfant

City Solicitor

Edward McNally



The Town of Elsmere

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Phone (302) 998-2215 Fax (302) 998-9920

Application for Hearing

Board of Adjustment ☒

Planning Commission ☒

Petition # 12-36 Filing Fee: 300⁰⁰ Date Received 12/20/12 Received by: CHA

Subject Property: 413 A S. Dept Rd

Property is: ☐ Residential ☒ Commercial

Tax Parcel # 1900 900 009 Zoning District: HD

Applicant name: Marie Medori

Address: 104 Bentley Ln Telephone # (302) 239-4550

City: Wilmington State: DE Zip Code: 19807

Application for Planning Commission Review of: _____

Application for Zoning Variance Related to: 1 residential use in HD zoning

- | | |
|---|---|
| <input type="checkbox"/> Front yard setback | <input type="checkbox"/> Lot Coverage |
| <input type="checkbox"/> Rear yard setback | <input type="checkbox"/> Fencing |
| <input type="checkbox"/> Side yard setback | <input type="checkbox"/> Parking requirements |
| <input type="checkbox"/> Lot Area | <input type="checkbox"/> Signage |

Application for Special Exception Use Permit for the following use: _____

Application for Appeal of an Administrative decision: _____

By: _____ Date: _____

For the following reasons: _____

Application for relief other than above: _____

State reasons for this request: To have an on-site watchman.

Has a previous application for this property been filed with the Town? ☐ Yes ☒ No

If yes, Petition # _____

If the applicant is not the Legal Owner of the property:

Legal owner information:

Name: Mario Medori

Address: 104 Bentley LN Telephone # _____

City: Wilm State: DE Zip Code: 19807

Please submit the following with this petition:

- A copy of a plot plan showing the following: location of the property; a diagram showing the layout, size, and location of existing structures on the property; a diagram showing the layout, size, and location of any proposed structures on the property.
- A copy of any deed restrictions on the property.
NOTE: THE BOARD OF ADJUSTMENT OR PLANNING COMMISSION CANNOT APPROVE ANY APPLICATION PROHIBITED BY DEED RESTRICTIONS.
- Filing fee, payable to the Town of Elsmere.

The undersigned hereby certifies that the legal owner of the subject property is aware of, and agrees to the filing of this application, that the information submitted herein is correct, and agrees to be bound by any decision of the Town of Elsmere Board of Adjustment with respect to the subject property.

NOTE: The legal owner or his/her authorized representative must sign this form.

Applicant's Signature: [Signature] Date: 12/20/12

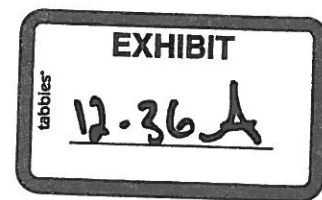
Legal Owner's Signature: [Signature] Date: 12/20/12

this attorney in fact
In addition to the persons listed above please send copies of all correspondence to:

Name: _____

Address: _____ Telephone # _____

City: _____ State: _____ Zip Code: _____



Site Analysis
Petition 12-36

Property Owner: Mario Medori
Zoning District: HD
Address: 413A S. Dupont Hwy.
Parcel No.: 1900.900.009

Primary Use: Commercial

LOT COVERAGE CALCULATIONS

Lot Area in Sq. Ft.:	7,500	Sq. Ft.
Allowable Lot Coverage:	1,500	Sq. Ft. (20%)
Total Coverage:	5,330	Sq. Ft. (71%)
❖ Residence=	2,400	Sq. Ft.
❖ Front Porch =	N/A	Sq. Ft.
❖ Garage=	N/A	Sq. Ft.
❖ Driveway=	2,930	Sq. Ft.
❖ Rear Patio=	N/A	Sq. Ft.

Proposed Addition: 0' Sq. Ft.

Proposed Total: 0' Sq. Ft. (0%)

Conclusion: There are no proposed changes to the existing building.

Required Setbacks: Front: 20' Rear: 20'
Side: 20' Both Sides: 50'

Existing Setbacks: Front: 40' Rear: 15'
Side: 15' Both Sides: 15'

Proposed Setbacks: Front: N/A Rear: N/A
Side: N/A Both Sides: N/A

Conclusion: There are no proposed changes to the existing setbacks.

STATEMENT OF FACT

The applicant has not proposed any changes to the buildings height, area, or setbacks.

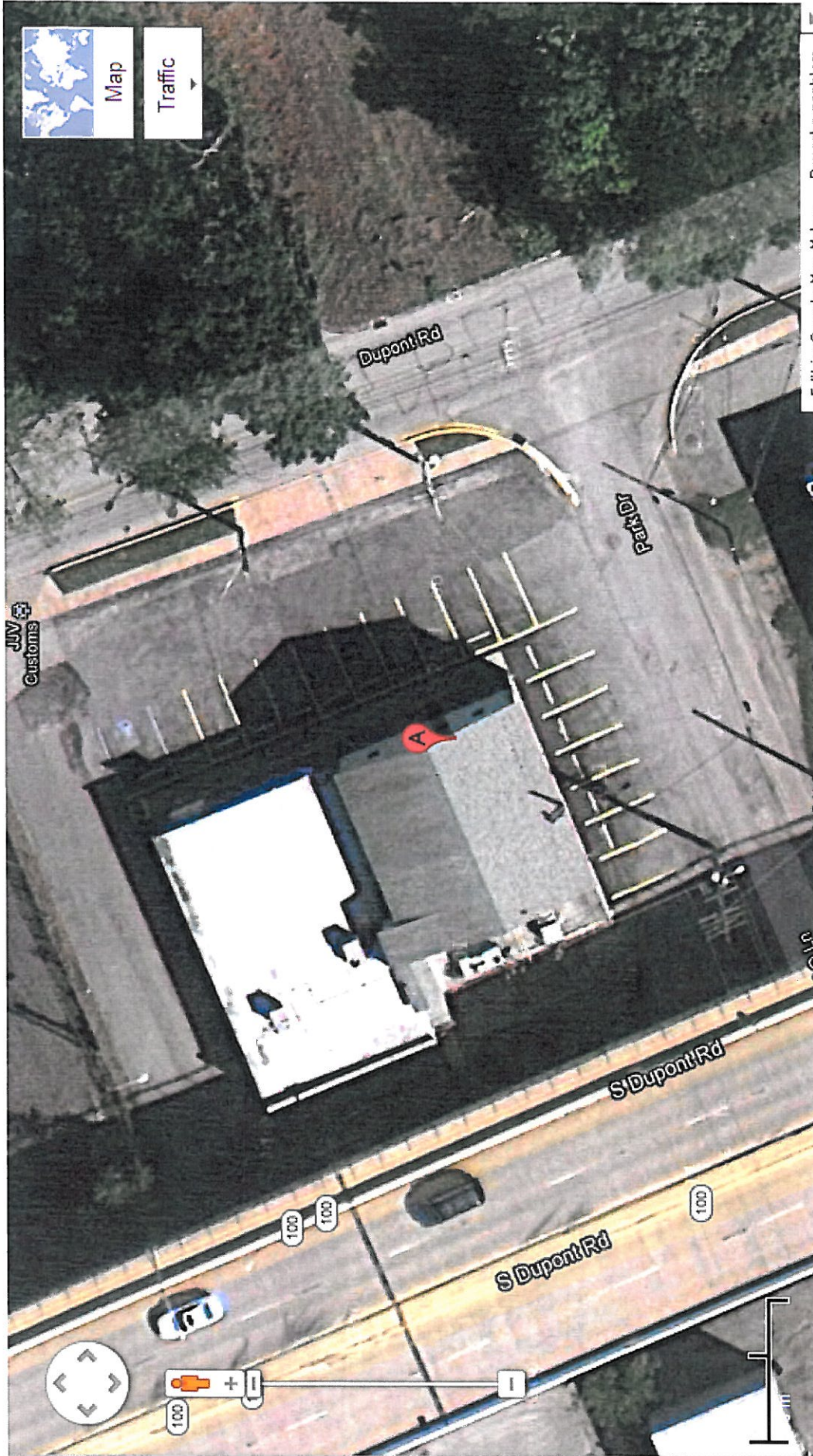
ISSUE

The applicant proposes to have a residential dwelling unit on the 2nd floor of the existing building. This is not an approved use in the HD district per Town of Elsmere Code 225-20. Therefore, a variance is required.

EXHIBIT

12-36 B

labbles



EXHIBIT

12-36C

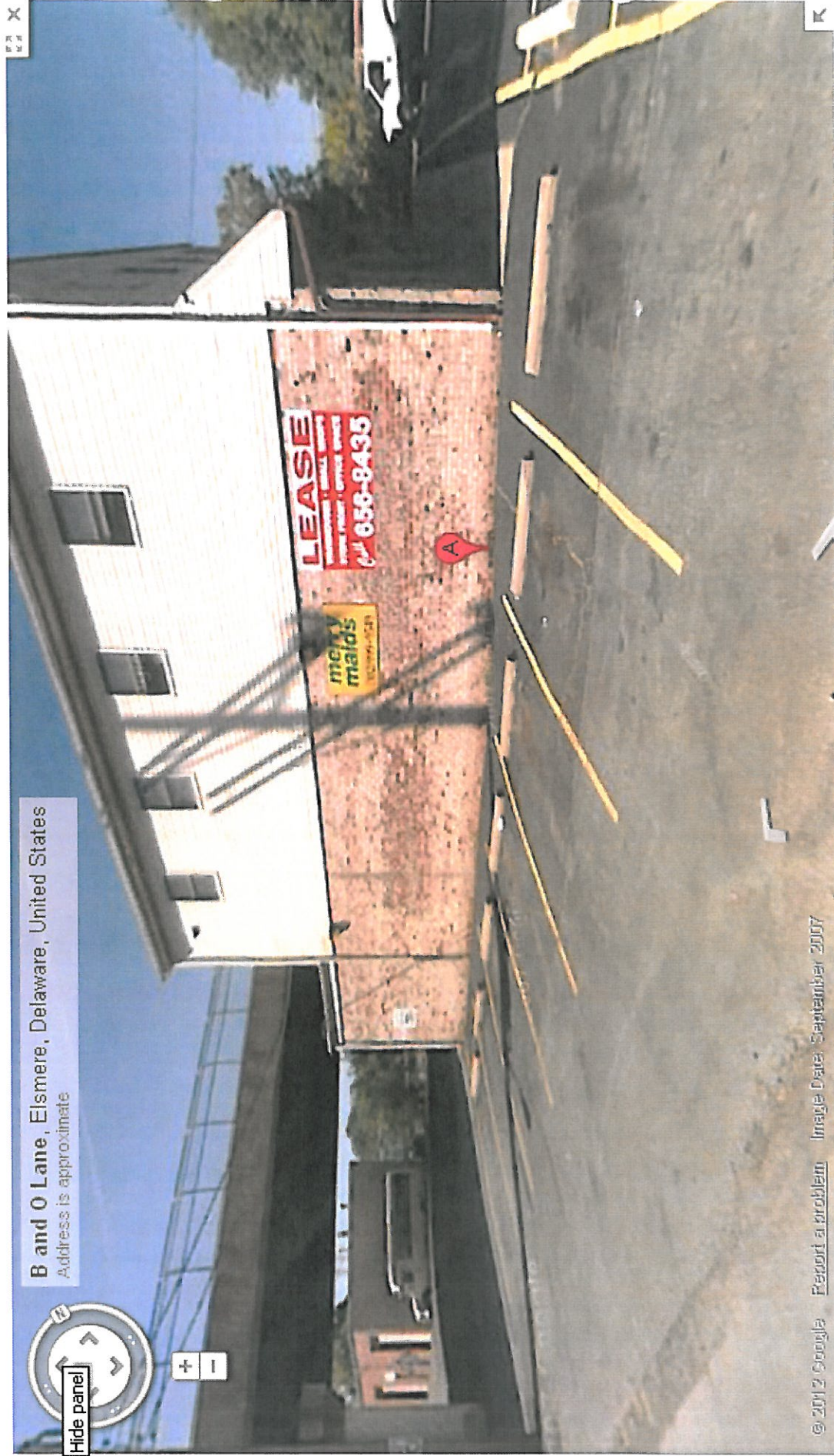
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EXHIBIT

12-360

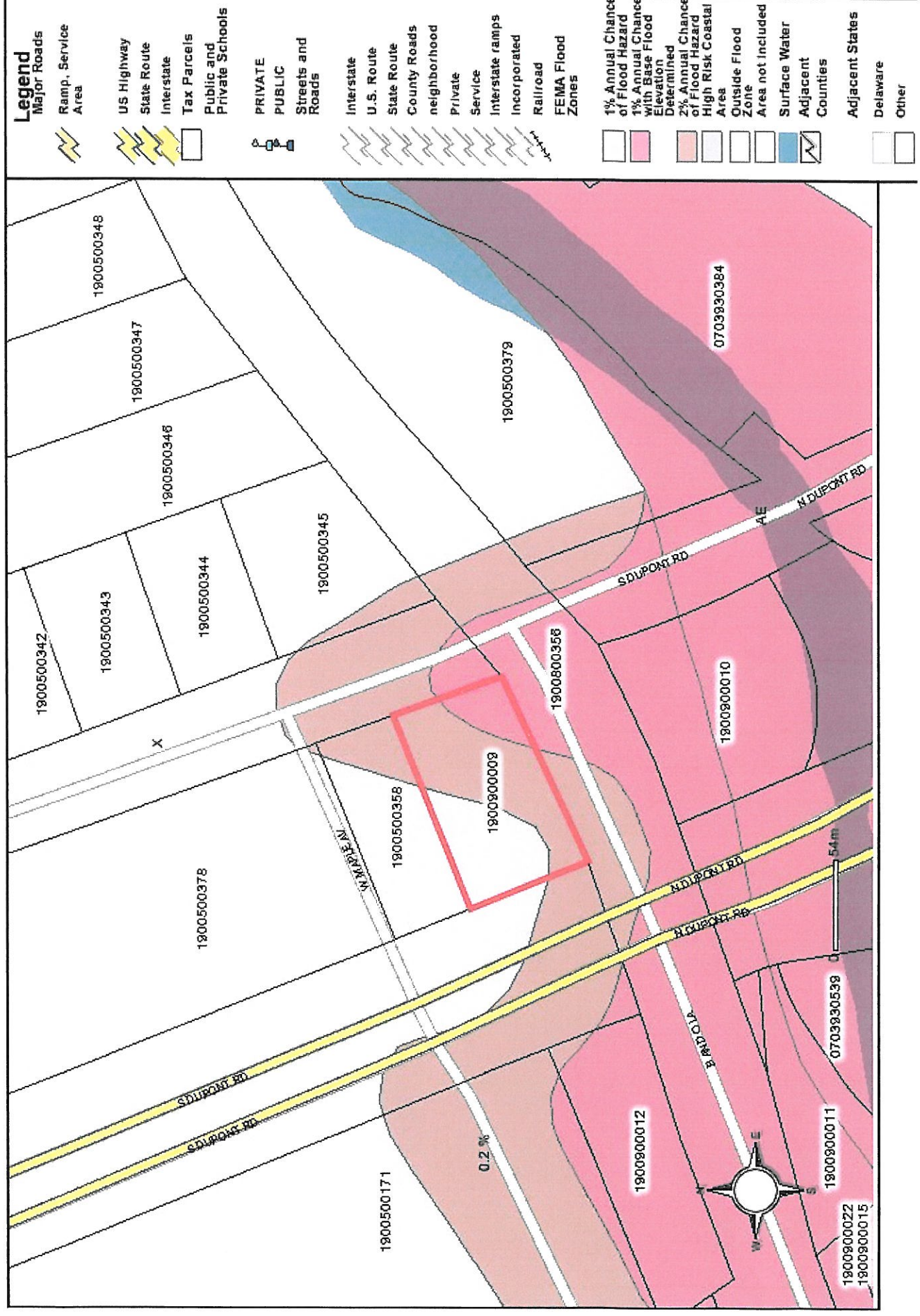
tabbles



B and O Lane, Elsmere, Delaware, United States

Address is approximate

Hide panel



Mario Medori

(302) 239-4550

104 Bentley Lane ■ Wilmington, Delaware 19807

December 28th, 2012

Town of Elsmere
Attn: Brian Swift
11 Poplar Avenue
Elsmere, DE 19805

RE: 411 and 413 S. Dupont Road – Parcel #1900900009

To Whom It May Concern:

Please be advised to the best of our knowledge there are no deed restrictions on the above referenced location.

Sincerely,



Mario Medori
Property Owner

